

C H A P.
XVII.

Scavengers to
be employed,
&c.

IX. And be it enacted, That the said special commissioners, from time to time, shall employ proper and capable persons to clean the cart-way of the said streets, lanes and alleys, which are or may be paved, and to remove and carry off from thence all mud, dirt, and other filth, there found, that shall or may incommode the inhabitants, in such manner and form, and at such time or times, as the said special commissioners shall direct and appoint, which said persons, so agreed with and employed, shall take upon themselves the office and duty of scavengers, pursuant to their respective agreements, under the penalty of five pounds for every neglect or refusal; and if any such scavenger shall neglect or refuse to carry off and remove all and every part of the mud, mire, dirt, and other filth, found in the streets, lanes, and alleys aforesaid, agreeable to his contract with said special commissioners, he shall forfeit and pay any sum not exceeding twenty-five shillings, for every such offence.

Inhabitants to
remove dirt,
&c.

X. And be it enacted, That the inhabitants and occupiers of the houses and lots, and the sextons, porters, or other keepers of churches, meeting-houses, or other public buildings or burying-grounds, fronting the paved streets, lanes and alleys, within the said town, shall rake and sweep into the cart-way the dirt, soil, and other filth, to be found on the brick pavements or foot-way before their respective houses, lots, dwellings, or public buildings, or cause the same to be done, once at least in every week, that is to say, on every Friday, when the snow or ice on the said pavements or foot-way does not prevent, that it may be removed by the said scavengers on the same day or the day following, under the penalty of any sum not exceeding five shillings for every neglect or refusal.

Shavings, &c.
not to be laid
on pavements,
&c.

XI. And be it enacted, That no person or persons whatsoever shall cast or lay, or cause to be cast or laid, any shavings, ashes, dung, or other filth or annoyance, on any pavements within the said town, under the penalty of any sum not exceeding twenty shillings for every such offence; but every such person or persons, having such shavings, ashes, dung, or other filth, shall keep the same in some other place, until the scavenger shall attend with his cart to carry off the same, which he is hereby enjoined to do once in every week at least, if required, at the door of every such person, under the penalty of five shillings for every neglect or refusal; provided always, that every such person, having such mud, dung, ashes, or other filth, so to be carried off, shall pay to every such scavenger, for all such filth, and no other, as shall be occasioned by, or arise from, his particular trade, business or occupation, and is not incident to common housekeeping, at such rate as shall be from time to time settled and ascertained by the special commissioners, unless he, she or they, shall choose to carry off the same, at his, her, or their own expence, in another manner.

Tenant to pay
rate for own-
er, &c.

XII. And be it enacted, That if the owner of any house or lot which shall be rated and assessed by virtue of this act, or before whose front the foot-pavement shall be hereafter directed to be paved, amended or repaired, by the said special commissioners, shall not reside within the town, the tenant or person occupying the same, shall pay his the said owner's rate and assessment, and pave and repair the foot-way before the front of his possession; and the taxes paid in pursuance of this act, and the money expended by such tenant in paving and repairing the foot-way aforesaid, in obedience to the order of special commissioners, shall be allowed by the owner, and defalked by the tenant out of the rent then due, or thereafter to become due; and if any owner of any house and lot, before whose front the cart-way shall be paved in pursuance of this act, or if any tenant of any such house and lot, shall refuse and neglect to pave and repair the foot-way agreeable to the direction and order aforesaid, every such owner, if a resident within the said town, and every such tenant of such non-resident owner, shall forfeit and pay, for every foot fronting his possession so neglected to be paved, the sum of one shilling; and that the said special commissioners shall make, amend and repair the same, out of the public monies by this act directed to be raised, and shall recover the same of such resident owner, or tenant of such non-resident owner respectively, as the case may require, in a summary way, before a magistrate